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UNITED STATES
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**IN THE UNITED STATES BANKRUPTCY COURT
DISTRICT OF UTAH, CENTRAL DIVISION**

In re:

**SIMON TRANSPORTATION
SERVICES, INC; DICK SIMON
TRUCKING, INC., AND SIMON
TERMINAL, LLC,**

Debtors.

Case No. 02-22906
Case No. 02-22907
Case No. 02-24874
(Jointly Administered)

**NOTICE OF APPEAL UNDER 28 U.S.C. §
158(A) OR (B) FROM THE APRIL 22, 2002
ORDER PURSUANT TO SECTIONS
105(A), 363, 365, AND 1146 OF THE
BANKRUPTCY CODE: (A)
AUTHORIZING THE SALE OF
SUBSTANTIALLY ALL OF THE
DEBTORS' ASSETS TO CENTRAL
REFRIGERATED SERVICE, INC. FREE
AND CLEAR OF LIENS, CLAIMS,
INTERESTS AND ENCUMBRANCES; (B)
APPROVING THE ASSET PURCHASE
AGREEMENT; AND (C) GRANTING
RELATED RELIEF**

Judge Glen E. Clark



NOTICE OF APPEAL

Freightliner LLC (f/k/a/ Freightliner Corporation) and Freightliner Market Development Corporation (together, the "Freightliner Companies" or "Freightliner"), by and through their undersigned counsel, Parsons Behle & Latimer, appeal under 28 U.S.C. § 158(a) or (b) from the Order Pursuant to Sections 105(a), 363, 365, and 1146 of the Bankruptcy Code: (A) Authorizing the Sale of Substantially All of the Debtors' Assets to Central Refrigerated Service, Inc. Free and Clear of Liens, Claims, Interests and Encumbrances; (B) Approving the Asset Purchase Agreement; and (C) Granting Related Relief entered in this proceeding on the 22nd day of April, 2002.

The names of all parties to the Order appealed from and the names, addresses, and telephone numbers of their respective attorneys are as follows:

Parties

Central Freight Lines, Inc.
Central Refrigerated Service, Inc.
CitiCapital Business Credit
CitiCapital Leasing, fka Associates Leasing, Inc.
Dick Simon Trucking, Inc.
DST Leasing, LLC
First Union Commercial Corporation
Fleet Capital Leasing
Freightliner LLC (f/k/a/ Freightliner Corporation)
Freightliner Market Development Corporation
Interstate Equipment Leasing, Inc.
Jerry Moyes
Simon Terminal, Llc
Simon Transportation Services, Inc.
The Jerry And Vickie Moyes Family Trust
U.S. Trustee's Office
Unsecured Creditors' Committee

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RESPECTFULLY SUBMITTED this 2nd day of May, 2002.

PARSONS BEHLE & LATIMER

By


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CERTIFICATION OF SERVICE NOTICE OF APPEAL

I hereby certify that on or before 2004 I served a copy of the Notice of Appeal on counsel of record for each party, including any proceeding other than the Appellant, or, if not represented by counsel, the party at the party's last known address, by first class mail on the date set out below:

5/3/02

Dated

*Beckett, Kelly, Harries
Terre, Thorshill, Goldstein, Crandall
Billings, Monson, Dayford, Gage,
Hoskinson, Tallier*


Linda Coates

Appeals Clerk